

MINUTES
REGULAR CITY COUNCIL WORKSESSION
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
YUMA CITY HALL – CONFERENCE ROOM 190
ONE CITY PLAZA, YUMA, ARIZONA
MAY 4, 2010
5:02 p.m.

CALL TO ORDER

Mayor Krieger called the City Council meeting to order.

ROLL CALL

Councilmembers Present: Stuart, Mendoza, Beeson, McClendon, Brooks-Gurrola, Johnson and Mayor Krieger
Councilmembers Absent: none
Staffmembers Present: City Administrator, Greg Wilkinson
Director of Parks and Recreation, Becky Chavez
Assistant Director of Parks and Recreation, Roberta Ukura
Interim Police Chief, John Lekan
Executive Director of Yuma Crossing National Heritage Area Corporation, Charles Flynn
Various Department Heads or their representative
City Clerk, Brigitta M. Kuiper

I. REGULAR CITY COUNCIL MEETING AGENDA OF MAY 5, 2010

Parks Use Permit Agreement with Yuma River Tubing

Beeson asked how the City could confirm Yuma River Tubing's receipts and whether 4% of gross revenues is a fair amount to charge.

Chavez: The City had a short-term contract with Yuma River Tubing last year because they came into the season at the last minute. The City charged a per trip fee last summer. At the end of the season, Yuma River Tubing suggested a 4% charge because that is the amount they pay everywhere else. In comparing the revenues gained per trip versus 4% of gross revenues, the amounts were very similar; therefore, staff decided to use the 4% amount. The City is projecting \$5,000 in revenues this summer. Yuma River Tubing provides the City with monthly reports and schedules their activity in the park ahead of time. The City has not been approached by any other park vendor. Staff is working to develop opportunities for mobile vendors to sell food in City parks, which should be available this summer.

Second Amendment to the Diamond Sports and Entertainment, Inc. (Golden Baseball League) Agreement

McClendon asked about the review of energy costs.

Ukura: In the current agreement with Golden Baseball League (GBL), there is a cap on what the City will pay in terms of the utilities associated with the baseball complex; the cap is \$42,000. Costs for GBL's summer play have been running at approximately \$36,000. The clubhouse and Desert Sun Stadium are metered separately and City staff has been analyzing usage to determine ways to cut costs. City staff and GBL have discussed usage and GBL has agreed to start games earlier in the day to reduce the amount of time the lights are on and also to turn up the thermostat in the clubhouse. The City, upon review of any cost savings, will make appropriate adjustments to next years' contract. This year is the last in a three-year contract.

McClendon noted that it seems that the City is always tweaking the GBL contract and, more often than not, it's for the benefit of GBL. It should be a two-way street and she is glad to see that GBL is willing to make concessions to the City in this regard.

Ordinance O2010-23: Establishing a \$150 penalty for false alarms

Lekan explained that the current false alarm penalty was established in 1978 and has not been strongly enforced. Since that time, alarm systems have become much more common; which has increased the number of alarm calls. In 2009, City police officers responded to over 5,000 calls, resulting in only 25 actual reports. The amendment would raise the fee from \$25 to \$150 for each false alarm in excess of one per month.

Discussion Highlights

- The fee should reflect actual costs.
- The intent of the increase is to encourage business and property owners to fix the problems they are having with their alarms; it is not intended to punish them.
- Having 30 officers responding to alarms in one night is a significant drain on the City's resources.
- Numerous false alarms tend to desensitize response.
- The current fee of \$25 per false alarm has not been enforced.

Lekan displayed Yuma City Code, Section 111, *False Alarms*, in its entirety, noting that owners of alarm systems are allowed one false alarm per month before the fee becomes applicable. The third provision defines a false alarm as one due to mechanical malfunction or human error on the part of the resident, employer or owner of the premises, not from earthquakes or power outages.

- Perhaps a graduated fee would be better, especially since the current fee has not been enforced.
- Phasing would increase recordkeeping and complicate enforcement.
- Perhaps a 90-day grace period before the fee increase takes effect.
- The alarm systems referred to are those specifically going through the Yuma Police Department (YPD) Dispatch.
 - A fire alarm is quite different than a burglar alarm. The Fire Department is involved in the installation of a fire alarm system and the Fire Codes specify what measures must be taken to ensure their maintenance.

- YPD does not have any control over the kinds of systems people put into their businesses or homes or the maintenance of their system.
- Fees should be high enough to cover all costs, including the costs of notifying someone of a violation.
- Setting the fee at \$150 sends the wrong message to people.
 - People will stop setting their alarms to avoid a false alarm.
 - Alarms are easy to trigger.
 - Someone pulling on a door to see if it is locked will set off an alarm.
 - New alarm systems have an adjustment period.
 - When an alarm is repaired, it takes several trials to make sure it is operating properly.
- In looking at the tally of false alarms for last year, City facilities are notable false alarm culprits.
- Immigration and Customs Enforcement had 54 false alarms.
 - At \$150 per call, that would cost more than \$5,000.
- \$150 is too high; the City can't expect to recoup every charge.
- Perhaps the City can begin enforcing the \$25 penalty and in the meantime, staff and local alarm companies along with the City Council could find a better way to address the issue.
- The City could issue a repair order, with no fees kicking in unless the repair order isn't followed.
 - A repair order would only deal with mechanical repairs.

Brianna Messie, G&T Alarms, 4686 W. 19th Street, stated that their current practice is to have an officer dispatched first and then they call the owner. Oftentimes, the owner will cancel the alarm and G&T cancels the dispatch, but officers still arrive. What would constitute a false alarm – the canceling of the dispatch or the officers showing up? Perhaps G&T could change their practice to call the owner first and then dispatch, but that would be problematic because oftentimes, especially during the summer, people aren't home and there's no way to reach them.

Tag Bender, Southwest Security, stated that fines are not the way to go. The City should consider requiring an alarm system permit that would have to be renewed annually and that would help recoup the cost of responding to false alarms.

Lekan: The permitting process would allow for an annual review of false alarms and City staff could work with repeat offenders at that point.

Mayor Krieger asked YPD officers and City staff to meet with industry representatives to discuss alternatives. The item will be delayed at tomorrow's meeting.

Federal Courthouse

Flynn discussed the actions that will be before the City Council at tomorrow's meeting.

- Ordinance O2019-27: provides for selling the land to Government Services Administration (GSA); approximate income: \$650,000.

- Clearing current title exceptions:
 - The federal government will accept no exceptions to its title of the land.
 - Resolution R2010-25: Repeals Resolutions 334 (adopted in 1934) and 885 (adopted in 1954), which placed restrictions on the property in anticipation of the development by the National Guard. The National Guard Armory resided on the site for many years; in 2003-2004, the old National Guard Armory was demolished and the site cleared, yet the restrictions remain in effect and need to be removed to make way for the federal project.
 - Resolution R2010-26: Amending Resolution R2003-07, to change the Yuma Crossing Design Guidelines.
 - The Yuma Crossing Design Guidelines were put in place for property that lies within the National Historic Landmark in order to ensure that private development on the property was consistent with the historic nature of the area. Although it is necessary to remove this requirement, GSA understands the historic importance of the Yuma Crossing National Historic Landmark and must work directly with the State Historic Preservation Officer during the design process.
 - Resolution R2010-27: Approve the Second Amendment to the Amended and Restated Yuma Riverfront Master and First Phase Development and Disposition Agreement with Clark-Lankford, LLC.
 - This development agreement provides certain contingencies to the developer and the City if GSA did not move forward with the construction of a federal courthouse. Now that the GSA project is moving forward, those contingencies need to be removed by excluding the federal courthouse property from the Excluded Acreage.
 - Ordinance O2010-28: Adopt the First Amendment to Yuma Riverfront Development First Phase Land and Improvements Lease with Clark-Lankford, LLC:
 - Because the property described in this lease abuts the federal courthouse property, any change in the courthouse property, along that boundary, affects the property in the lease. GSA has provided the City with the specific legal description of the property it will buy, which changes the boundary line between it and the Hilton Garden Inn property by 15 feet.

GSA must move forward quickly as \$28 million of their funding is stimulus money. GSA is anxious to own the property outright so it can bid the project as a design/build project and award the contract by December 2010. The above actions will clear the title for GSA, making their purchase of the land possible.

II. GREATER YUMA ECONOMIC DEVELOPMENT CORPORATION

Julie Engel, President/CEO Greater Yuma Economic Development Corporation (Greater Yuma EDC) presented a performance review of her organization:

The City of Yuma and Greater Yuma EDC's contract specifies the services that Greater Yuma EDC will provide:

- Promote and strengthen regional economic development cooperation and coordination
- Support a strong business climate and promote the image of a greater Yuma area

- Qualify and assist companies to locate in the Yuma area
- Build a strong and effective regional economic development organization
- Increase, and maintain such increases in private sector financing, support and participation

Goals:

- To develop and maintain strong private sector support and participation
 - To achieve regional marketing goals, Greater Yuma EDC has been directed to continue to secure private sector contributions.
 - Private investment/funding is on par to reach \$150,000 this year, resulting in a 37/63 ratio of private to public support, respectively.
- To identify and develop at least 25 qualified prospects per year
 - The number of leads forwarded to the City by the Arizona Department of Commerce has fallen greatly due to the overall economy.
 - Greater Yuma EDC has a detailed process it follows to qualify a company as one that fits the community;
 - Greater Yuma EDC does not bring forward companies to the City Council without performing a financial and environmental background check on the company to determine if the company fits within the target growth sectors as determined in the annual Strategic Plan.
 - Greater Yuma EDC works only with those deemed qualified.
 - Through May 3, 2010, 25 qualified businesses have been identified
 - 14 client tours have been conducted
 - 32 follow-up visits have been conducted
 - two leads lost to Phoenix area because of costs
 - 14 Business Retention and Expansion (BRE) meetings have been held
 - 26 contacts generated from trade show attendance
- When appropriate, coordinate with other resources and entities to promote development and new business
 - Yuma International Airport
 - Lockheed Martin – servicing JSF F-35
 - Development of defense contractor complex
 - Western Arizona Economic Development District, the federal area economic development entity, has a new Director who is opening doors for federal funding for economic development.
 - Sun Corridor Initiative – Yuma joined Flagstaff, Tucson and Phoenix Economic Development Corporations in working with companies who want to relocate to these sunbelt communities.
 - Yuma Manufacturers Association
 - Two expansion projects are underway
- Create jobs for City residents and targeted socio-economic persons or groups within Yuma.
 - Statistics for 2005 to 2009 show that Yuma's labor force was growing; it now appears the region labor force numbers are declining.
 - To date, there has been a 5.6% decrease in the labor force
 - The State of Arizona faces a number of obstacles

- Difficulty attracting high wage employers
- Average unemployment 9.6%
- Arizona ranks 43rd in the nation on a per capita income basis, down from 41st last year and 33rd ten years ago.

Industry targets

- Ready-to-eat food packaging plants
 - Yuma now has nine lettuce packing plants
- Pet foods
- Logistics
 - Working with Arizona Western College (AWC) to develop a trained logistics workforce.
 - The Nogales Port-of-Entry is Yuma's closest competitor in terms of import/export on the Arizona international boundary and Nogales has significant disadvantages that Yuma doesn't.
- Aerospace and defense
 - F-35 Joint Strike Fighter Citizens Committee: working to capitalize on Joint Strike Fighter F-35 being sited in Marine Corps Air Station – Yuma
 - The final decision on the siting of the F-35 will come in July 2010.
- Solar
 - Few places on earth offer the solar energy index Yuma has.
 - Solar energy grids have a number of components, all of which make up the solar value chain.
 - First Solar, a photovoltaic panel manufacturing firm out of Tempe, Arizona, is developing a 3,000 acre utility scale solar power plant in the Dateland/Hyder area; representing a \$1 billion capital investments. Not only will the project provide construction jobs, but Greater Yuma EDC is working to attract those who work at the site to use Yuma hotels, restaurants and shops.
 - Greater Yuma EDC acted as the catalyst for AWC to begin training in solar technology. AWC has announced it will develop a solar test bed as part of its educational curriculum; bringing leading solar integration industries to Yuma. Solar manufacturing generally stays close to its research and development base, therefore, Greater Yuma EDC is sure that Yuma will have some manufacturing on the ground once the testing is complete.

In addition to those not previously mentioned, **Engle** drew attention to the following new development programs:

- Yuma Manufacturers Association: Ongoing since 2007; acts in advisory, national certification and training functions.
- NexGen: Network of young professionals; ongoing since 2007
- COPRESON: Bi-national strategy; established 2009-2010
- Yuma Distribution and Logistics Association: Newly formed program to help grow logistics employment base in Yuma County
- Yuma PASS Program: Partners businesses with educators to help better respond to business needs; inaugural program in July 2009

- **Manufacturer's Forum:** Held in December 2009; a collaboration of local businesses and City of Yuma re: attracting manufacturing

In summary, Engle noted that the per capita national average of economic development spending is \$3. She displayed the statistics on a number of Arizona cities and their per capita spending. Spending on economic development grows the community.

Paul Mutthart, Greater Yuma EDC Board of Directors member, 3576 W. 12th Lane, assured the City Council that the Greater Yuma EDC Board of Directors is responsibly managing City funding. The board is made of a diverse population of people very sincere in their work to better the community. The focus of Greater Yuma EDC has changed; Greater Yuma EDC is specifically targeting certain industries and proactively soliciting businesses.

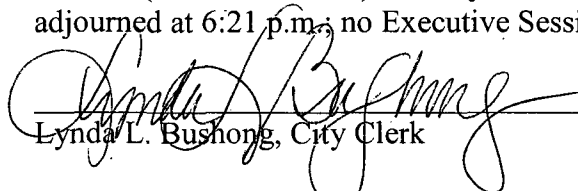
III. ADDITIONAL ITEMS FOR POSSIBLE DISCUSSION

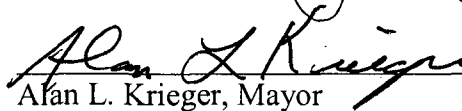
Johnson reported on a recent Rural Transportation Advisory Council meeting.

Mendoza asked that a briefing by Yuma Private Industry Council (YPIC) be included on an upcoming worksession agenda so everyone can be up-to-date on the area's workforce capabilities.

IV. ADJOURNMENT/EXECUTIVE SESSION

Motion (Beeson/Johnson): To adjourn the meeting. Voice vote: **adopted** 7-0. The meeting adjourned at 6:21 p.m.; no Executive Session was held.


Lynda L. Bushong, City Clerk


Alan L. Krieger, Mayor

